PTO/SB/21 (07-06)

Approved for use through 09/30/2006. OMB 0651-0031

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Application Number 10/643,256 Filing Date **TRANSMITTAL** August 18, 2003 First Named Inventor **FORM** Stephen Paul Zadesky Art Unit 2629 (to be used for all correspondence after initial filing) **Examiner Name** Jimmy H. Nguyen Attorney Docket Number 106842000600 Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)					
X Fee Transi	mittal Form	Drawing(s)	After Allowance Communication to TC		
Fee Attached		Licensing-related Papers	Appeal Communication to Board of Appeals and Interferences		
Amendme	nt/Reply	Petition	Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)		
After	Final	Petition to Convert to a Provisional Application	Proprietary Information		
Affid	avits/declaration(s)	Power of Attorney, Revocation Change of Correspondence Address	Status Letter		
Extension	of Time Request	Terminal Disclaimer	X Other Enclosure(s) (please Identify below):		
Express A	bandonment Request	Request for Refund	Return Receipt Postcard Copies of IDS citations (87 Refs.)		
X Information	n Disclosure Statement	CD, Number of CD(s)			
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	y to Missing Parts under FR 1.52 or 1.53				
	SIGNAT	URE OF APPLICANT, ATTORNEY, O	RAGENT		
Firm Name	MORRISON & FOE	RSTER LLP			
Signature	Clex	Cliture			
Printed name	Alex Chartove				
Date	July 20, 2007	Reg. No.	31,942		



Patent

Docket No. 106842000600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Stephen Paul Zadesky et al.

Serial No.: 10/643,256

Filing Date: August 18, 2003

MOVABLE TOUCH PAD WITH For:

ADDED FUNCTIONALITY

Examiner: Jimmy H. Nguyen

Group Art Unit: 2629

Confirmation No.: 4668

INFORMATION DISCLOSURE **STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record.

Applicants submit herewith an Information Disclosure Statement identifying art of which applicant became aware as a result of the following Japanese patent proceedings:

(A) Civil Division 47th-B of Tokyo District Court

Complaint: Year 2007 (wa) No. 2525 Case of Demand for Declaratory Judgment of Non-indebtedness

Counterclaim: Year 2007 (wa) No. 6312 Case of Damages Counterclaim Plaintiff (Defendant in Counterclaim): Apple Japan, Inc.

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PTO/SB/17 (07-06)
Approved for use through 01/31/2007. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

berwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number. Complete if Known Effective on 12/08/2004. 10/643,256 Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). **Application Number** August 18, 2003 FEE TRANSMITTAL Filing Date Stephen P. ZADESKY First Named Inventor For FY 2005 Jimmy. H. Nguyen **Examiner Name** Applicant claims small entity status. See 37 CFR 1.27 2629 **Art Unit** 106842000600 TOTAL AMOUNT OF PAYMENT (\$) 180.00 Attorney Docket No. METHOD OF PAYMENT (check all that apply) Credit Card Check Money Order None Other (please identify): Morrison & Foerster LLP x Deposit Account Deposit Account Number: 03-1952 Deposit Account Name: For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee Charge any additional fee(s) or underpayment of Credit any overpayments fee(s) under 37 CFR 1.16 and 1.17 **FEE CALCULATION** 1. BASIC FILING, SEARCH, AND EXAMINATION FEES **FILING FEES** SEARCH FEES **EXAMINATION FEES Small Entity** Small Entity **Small Entity Application Type** Fee (\$) Fees Paid (\$) Fee (\$) Fee (\$) Fee (\$) Fee (\$) Fee (\$) Utility 300 150 500 250 200 100 Design 200 100 100 50 130 65 Plant 200 100 300 150 80 160 Reissue 300 150 500 250 600 300 100 0 0 **Provisional** 200 0 0 2. EXCESS CLAIM FEES **Small Entity** Fee (\$) Fee (\$) Fee Description Each claim over 20 (including Reissues) 50 25 Each independent claim over 3 (including Reissues) 200 100 Multiple dependent claims 360 180 Extra Claims **Total Claims** Fee Paid (\$) **Multiple Dependent Claims** Fee (\$) Fee (\$) Fee Paid (\$) - 52 = HP = highest number of total claims paid for, if greater than 20. Indep. Claims Extra Claims Fee Paid (\$) Fee (\$) 4 - 8 = HP = highest number of independent claims paid for, if greater than 3. 3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Fee Paid (\$) **Total Sheets** Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) _____ (round **up** to a whole number) x 4. OTHER FEE(S) Fees Paid (\$) Non-English Specification, \$130 fee (no small entity discount) Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement 180.00 SUBMITTED BY Registration No. 31,942 (703) 760-7744 Signature Telephone (Attorney/Agent) Name (Print/Type) Alex Chartove Date July 20, 2007

Defendant (Plaintiff in Counterclaim): Shigeru Saito Architecture Research Institute Plaintiff (Defendant in Counterclaim) Intervenor: Apple Japan Holdings, Inc.

(B) Case No. 1000-1280

Details of Rights pertaining to Application for Import Suspension

- (1) Petitioner Shigeru Saito Architecture Research Institute
- (2) Name of product considered to be infringing Small, portable music player
- (3) Details of intellectual property

Patent rights pertaining to a contact operation-type input device and its electronic components Patent Number 3852854 [Claim 3]

The above-referenced Japanese patent proceedings involve alleged infringement by Apple Japan, Inc. of Japanese Patent JP 3852854. The above-referenced Japanese patent proceedings do not involve any patent corresponding to applicants subject U.S. patent application, for which allowance is now currently being sought.

This Information Disclosure Statement is submitted after receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance. A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other

fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing (106842000600).

Dated: July 20, 2007

Respectfully submitted,

Alex Chartove
Registration No.: 31,942
MORRISON & FOERSTER LLP
1650 Tysons Blvd, Suite 400
McLean, Virginia 22102
(703) 760-7744



Complete if Known Substitute for form 1449/PTO 10/643,256 Application Number August 18, 2003 **INFORMATION DISCLOSURE** Filing Date Stephen Paul Zadesky First Named Inventor STATEMENT BY APPLICANT 2629 Art Unit (Use as many sheets as necessary) Not yet assigned Examiner Name 6 1 of 106842000600 Sheet Attorney Docket Number

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Examiner Initials*	Cite No.1	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Examiner	Date
Signature	Considered

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number	10/643,256	
Filing Date	August 18, 2003	
First Named Inventor	Stephen Paul Zadesky	
Art Unit	2629	
Examiner Name	Not yet assigned	

Attorney Docket Number 106842000600

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Sheet	3	of	6	Attorney Docket Number	106842000600	

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Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T [©] .
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Examiner	Date
Signature	Considered

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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Complete if Known				
Application Number	10/643,256			
Filing Date	August 18, 2003			
First Named Inventor	Stephen Paul Zadesky			
Art Unit	2629			
Examiner Name	Not yet assigned			
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Signature	Considered	

Complete if Known Substitute for form 1449/PTO 10/643,256 Application Number August 18, 2003 Filing Date **INFORMATION DISCLOSURE** Stephen Paul Zadesky STATEMENT BY APPLICANT First Named Inventor 2629 Art Unit (Use as many sheets as necessary) Not yet assigned Examiner Name 106842000600 5 of 6 Sheet Attomey Docket Number

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*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.